

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

February 4, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, February 4, 1981 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - Hughes (arrived 8:25 p.m.),
 McCarty, Murphy, Pinkerton
 and Katnich (Mayor)

Absent: Councilmen - None

Also

Present: City Manager Graves, Assistant City
Manager Glenn, Community Development
Director Schroeder, Public Works
Director Ronsko, City Attorney Stein,
and City Clerk Reimche

INVOCATION The invocation was given by Reverend Walter
Dingfield, First Baptist Church.

PLEDGE Mayor Katnich led the Pledge of Allegiance to the flag.

REQUEST BY
"GOOD NEIGHBOR"
COMMITTEE

CC-450 of the Lodi High School Student Assembly requesting a three-way stop at the intersection of Pacific and Oak and that rumble strips be placed before and after the stop signs. Council discussion followed with questions being directed to Staff and to Ms. Schleicher and Ms. McDaniel. On motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 81-2 establishing stop signs at both intersections of Pacific Avenue onto Oak Street and at the intersection of Oak Street onto Pacific Avenue. Council chose not to take action on the request for rumble strips.

PLANNING City Manager Graves gave the following report
COMMISSION of the Planning Commission meeting of January
 26, 1981:

ITEMS OF The Planning Commission -
INTEREST

- 08-36
1. Approved the request of Cooper-Sherman Engineering Company on behalf of Western Commercial Development Company, developers of the Lodi-Cherokee Shopping Center (K-Mart), for a Tentative Parcel Map at 410 - 420 South Cherokee Lane in an area zoned C-2, General Commercial.
 2. Extended for one year the Use Permit originally approved on January 17, 1980 for Holz Rubber Company to locate two temporary office trailers at 1129 South Sacramento Street in an area zoned M-2, Heavy Industrial.

Continued February 4, 1981

COMMUNICATIONS

SIGNAL "WALK"
CYCLE TIMING
QUESTIONED

ABC LICENSE

City Clerk Reimche presented a letter which had been received from Mary R. Laidlow regarding the time pedestrians have to cross various inter-sections on the "Walk" cycle. Council discussion followed with no formal action being taken.

City Clerk Reimche presented an application for Alcoholic Beverage License for the Eagles Lodge #848, 21 West Oak Street, Lodi, Premise to Premise Club.

PETITION
RECEIVED
REQUESTING A
PUBLIC
TRANSPORTATION
SYSTEM

A petition bearing approximately 400 signatures reading as follows was presented by Mr. James John, 1123 Alpine Drive, Lodi:

"We, the undersigned, hereby petition the City Council of the City of Lodi to establish, operate and maintain a public transportation system to serve the needs of the citizens of Lodi, California. We further request that this system be placed in operation as expediently as possible and that any available state, local or federal funds be used to the extent that the can be authorized. Time is of the essence and we want you, as our elected officials, to take action to implement the intent of this petition without further delay.

COMMENTS BY
THE CITY
COUNCILMEN

Mr. John was apprised that the subject of transportation would be discussed later on the Agenda; and invited his comments at that time.

LODI NEWS
SENTINEL
ADMONISHED

Councilman Murphy admonished the Lodi News Sentinel for recent published comments made about the Council.

SCHOOL
IMPACTION

Following introduction of the subject of school impaction and the recent events that had occurred, Councilman Murphy proposed that a 60 day moritorium be placed on accepting tentative maps and on building starts until the proposed Task Force had an opportunity to meet and come up with some suggestions.

A very lengthy Council discussion followed with questions being directed to Staff.

Addressing the Council concerning the matter were:

- a) Mr. Constantine Baranoff
Director of Facilities and Planning
Lodi Unified School District
- b) Mr. Gene Larkin
Vintage Realty
730 W. Lodi Avenue
Lodi, CA
- c) Luis Arismendi
Grupe Communities
2291 W. March Lane
Stockton, CA
- d) Lodi Unified School Board Trustee
Ann Johnson
1132 GoldenOak Way
Stockton, CA

Continued February 4, 1981

A number of motions and seconds were made with amendments. Councilman Murphy then asked that the previous motions be rescinded and moved for introduction of an urgency ordinance (Ord. No. 1222) to place a 30 day moratorium on accepting tentative subdivision maps for residential purposes. The motion was seconded by Mayor Pro Tempore McCarty but failed to pass by the following vote:

Ayes: Councilmen - Murphy

Noes: Councilmen - Hughes, McCarty, Pinkerton and Katnich

Absent: Councilmen - None

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, McCarty second, were approved.

CLAIMS 3-21-81 CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,810,412.70.

MINUTES MINUTES OF THE REGULAR COUNCIL MEETING OF JANUARY 7, 1981 WERE APPROVED AS WRITTEN AND MAILED.

AWARD - CONTRACT The bids which had been received for Cluff
FOR CLUFF AVENUE
STORM DRAIN Avenue Storm Drain Phase II were presented to
PHASE II the Council as follows:

RES. NO. 81-3	BIDDER	BID	
		Schedule I	Schedule II
3-14-81	Westco Construction Co.	\$149,968.00	\$47,530.00
3-14-81	Claude C. Wood Co.	\$168,930.00	\$56,241.00
	David G. Newton Const.	\$170,516.35	\$81,709.39
	Teichert Construction	\$188,140.80	\$62,313.70
	A & H Underground Const.	\$188,779.00	\$64,905.00
	Granite Construction Co.	\$224,339.00	\$80,690.00
	D.W. Young Construction	\$243,475.00	\$86,338.00
	Edward J. Pestana Const.	\$307,480.00	\$90,270.00

Following recommendation of City Manager Graves, Council adopted the following Resolution:

RESOLUTION NO. 81-3

RESOLUTION AWARDING THE BID FOR CLUFF AVENUE STORM DRAIN PHASE II TO WESTCO CONSTRUCTION CO., INC., THE LOW BIDDER, IN THE AMOUNT OF \$149,968.00 FOR SCHEDULE I, AND \$47,530.00 FOR SCHEDULE II, SUBJECT TO THE ACQUISITION OF THE NECESSARY RIGHT-OF-WAY

Schedule I includes the 72" pipe from the end of Phase I, across the Willow Oaks property to Turner Road, and in Turner Road to Cluff Avenue. Schedule II is the 60" pipe in Turner Road, east of Cluff Avenue fronting the Sanitary City property.

AWARD - City Manager Graves presented the following bids
CHEROKEE LANE which had been received for Cherokee Lane Storm
STORM DRAIN Drain as follows:

RES. NO. 81-4

3-14-81

Continued February 4, 1981

<u>BIDDER</u>	<u>BID</u>
Teichert Construction	\$5,658.00
Claude C. Wood Co.	\$5,781.50
Moody Construction	\$5,994.50
Wayne Fregien	\$7,168.00
Crutchfield Construction	\$7,345.00
Rough & Ready Construction	\$7,418.50
William A. Parrish	\$7,956.78
Granite Construction	\$8,019.00
W.J. Dezarov Construction	\$8,327.00
D.W. Young Construction	\$9,679.00
W.M. Lyles Co.	\$9,929.00
Case Construction	\$11,272.05

On recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 81-4

RESOLUTION AWARDING THE CONTRACT FOR CHEROKEE LANE STORM DRAIN TO TEICHERT CONSTRUCTION, THE LOW BIDDER, IN THE AMOUNT OF \$5,658.00.

RES. AWARDING
CONTRACT FOR
SINGLE-PHASE
CAPACITOR
UNITS

City Manager Graves presented the following bids which had been received for 23-200 KVAR single-phase capacitors:

UD-E-81-1

RES. NO. 81-5

Supplier - McGraw-Edison Co.

Price Incl. Tax - \$10,239.60
Delivery (weeks)- 24

Supplier - General Electric Supply Co.

Price Incl. Tax - \$10,337.12
Delivery (weeks)- 14

Supplier - Maydwell & Hartzell

Price Incl. Tax - \$10,751.58
Delivery (weeks)- 18

Supplier - Westinghouse Electric Supply Co.

Price Incl. Tax - \$11,799.92
Delivery (weeks)- 4 - 6

Following recommendation of City Manager Graves, Council adopted the following resolution:

RESOLUTION NO. 81-5

RESOLUTION AWARDING THE CONTRACT FOR 23-200 KVAR, SINGLE PHASE CAPACITORS TO GENERAL ELECTRIC SUPPLY CO., EMERYVILLE, IN THE AMOUNT OF \$10,337.12.

ACCEPTANCE OF
"MUNICIPAL
SERVICE
CENTER PHASE
III UNDERGROUND"

COUNCIL ACCEPTED THE IMPROVEMENTS IN "MUNICIPAL SERVICE CENTER PHASE III UNDERGROUND" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

Continued February 4, 1981

This contract was awarded to Claude C. Wood Co. of Lodi on September 3, 1980 in the amount of \$19,655.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

LOT LINE
ADJUSTMENT
1027 - 1029
SOUTH CHURCH
STREET

RESOLUTION NO. 81-6

COUNCIL ADOPTED RESOLUTION NO. 81-6 APPROVING A LOT LINE ADJUSTMENT BETWEEN 1025 AND 1029 SOUTH CHURCH STREET TO MAKE 1025 SOUTH CHURCH STREET A BUILDABLE LOT IN AN AREA ZONED R-2, SINGLE-FAMILY RESIDENTIAL

RES. NO. 81-6

ALEGRE
CONSTRUCTION
EASEMENT
AGREEMENT
APPROVED

Council was apprised that the award of the Cluff Avenue Storm Drain, Phase II, Schedule II, was for the construction of a 60" storm drain in Turner Road east of Cluff Avenue. In order to make the construction as easy and inexpensive as possible, the City has requested a temporary construction easement from Mr. and Mrs. Frank Alegre. Mr. and Mrs. Alegre have approved the agreement at no cost to the City.

COUNCIL APPROVED CONSTRUCTION EASEMENT AGREEMENT BETWEEN MR. AND MRS. FRANK ALEGRE AND THE CITY AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

CENTRAL
CALIFORNIA
TRACTION CO.
AGREEMENT
APPROVED

Western Commercial Development Co., the developer of the K-Mart parcel at Cherokee Lane and Lodi Avenue is required to extend an 8" water main beneath the Central California Traction Company tracks adjacent to Lodi Avenue and is entering into an agreement with Central California Traction Company covering the installation. The City is holding a Faithful Performance Guarantee and insurance covering the off-site improvements for this development. After the off-site improvements are accepted by the City, the maintenance of the water line will become the City's responsibility. This agreement covers the maintenance and operation of this 8" water line, and there is no cost to the City for the agreement.

COUNCIL APPROVED AN AGREEMENT BETWEEN CENTRAL CALIFORNIA TRACTION COMPANY AND THE CITY OF LODI AND AUTHORIZED THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

* * * * *

RECESS

Mayor Katnich declared a 5 minute recess and the Council reconvened at approximately 9:20 p.m.

FINAL REPORT
1980
DOWNTOWN
PARKING SURVEYS
PRESENTED

Council received the "Final Report 1980 Downtown Parking Surveys" as prepared by the City of Lodi Community Development Department and presented by Ms. Mamie Starr, Assistant Planner. A brief presentation concerning the document was made by Walter Sanborn, Chairman of the CLIC Committee.

Continued February 4, 1981

AWARD - LEGAL
ADVERTISING FOR
CITY OF LODI

Agenda item "k" - "Award - Contract for Legal Advertising for the City of Lodi" was introduced by City Manager Graves.

RES. NO. 81-7

Mayor Pro Tempore McCarty asked to abstain from discussion and voting on this matter, because of a possible conflict of interest.

The bids which had been received were presented as follows:

Lodi Life and Times

Item #1 Column inches - daily edition,
Monday through Saturday

- a. Price per column inch (1 inch x newspaper's standard column width) for first insertion of each advertisement \$1.50
- b. Price per column inch (1 inch x newspaper's standard column width) for each subsequent insertion of an advertisement \$1.45
- c. Price per copy of additional proofs after first three (3) no charge

Paid circulation of bidding newspaper -
3,700

Lodi News Sentinel

Item #1 Column inches - daily edition,
Monday through Saturday

- a. Price per column inch (1 inch x newspaper's standard column width) for first insertion of each advertisement \$3.50
- b. Price per column inch (1 inch x newspaper's standard column width) for each subsequent insertion of an advertisement \$2.80
- c. Price per copy of additional proofs after first three (3) _____

Paid circulation of bidding newspaper -
13,713

A very lengthy discussion followed with questions being directed to the City Attorney and the City Clerk.

On motion of Councilman Hughes, Murphy second, Council adopted Resolution No. 81-7 naming both the Lodi Life and Times and the Lodi News Sentinel as newspapers of Record for the City of Lodi; whereby all Public Hearing notices will be published in the Lodi News Sentinel and all legal advertisements calling for bids and the publication of adopted Ordinances will appear in the Lodi Life and Times.

Continued February 4, 1981

ITEM REMOVED
FROM AGENDA

At the request of Staff and with the tacit concurrence of the City Council, agenda item "1" - "Lobaugh South Reorganization - proposed annexation of territory to the City of Lodi and detachment of affected territory from the Woodbridge Rural Fire District and the Woodbridge Irrigation District" was removed from the agenda.

RENEWAL OF
CONTRACTS FOR
BILLBOARDS
AT VARIOUS
ENTRANCES TO
THE CITY
APPROVED

City Clerk Reimche presented the following proposal which had been received for the renewal of the permanent painted bulletins and the permanent poster panel, the City of Lodi has under contract with 3M National Advertising. These billboards are located at various entrances to the City.

CC-39
CC-140

The following is the location description, rates and effective date for the Outdoor Advertising structures being offered by 3M National Advertising.

PAINT

Board Number - 007077

Location - Highway 99 W/L 50' N/O Peltier Rd.

Size - 12x40

Face - North

Rate - \$260.00

Term - 12 mo.

Effective Date - April 1981

Contract Value - \$3,120.00

Board Number - 040410

Location - Highway 99 E/L .5 mi S/O Armstrong

Size 12x40

Face - North

Rate - \$260.00

Term - 12 mo.

Effective Date - March 1981

Contract Value - \$3,120.00

POSTER

The City of Lodi maintains a permanent special poster showing as follows:

Renewal Rate - \$225.00 (Space Only)

Effective Date - April 5, 1981

Contract Value - \$2,700.00

The above rate is for space only and does not include poster paper. The City of Lodi will contract separately, and supply National Advertising with paper necessary to maintain the above poster panel with copy.

Continued February 4, 1981

SUMMARY

Monthly Rate -	\$ 260.00
	260.00
	225.00
	<u>\$ 745.00</u>

Total Contract Value -	\$3,120.00
	3,120.00
	2,700.00
	<u>\$8,940.00</u>

Following discussion, on motion of Councilman Murphy, Pinkerton second, Council approved the renewal of contracts for three billboards at various entrances to the City at a cost of \$8,940.00.

CURB, GUTTER
AND SIDEWALK ON
BECKMAN ROAD

03-45(e)

Staff recommended that the City Council rescind their direction of February 20, 1980 to require the property owners to install curb, gutter and sidewalk on Beckman Road, from Lockeford Street north. This action was taken by the City Council because of complaints by the property owner at 677 E. Lockeford Street that water from the street was running in and through his property and creating problems for him. Mr. Thorpe, the owner of the Bulk Station at 351 N. Beckman Road, by agreement, is responsible for putting the improvements in front of his property, and had agreed to do so if his neighbor to the south also installed his. Shortly after the City Council action, the property to the south sold without the work being accomplished. The City has been in contact with the new owner, John Faulstich, who indicates that he had received a deduct in the asking price of the home because of the lack of curb, gutter, and sidewalk, and that no money had been placed in escrow to ensure completion of the work. Mr. Faulstich doesn't have the funds at this time to do the work, is not interested, and feels he has no problem with the drainage.

Since the work was originally requested because of the property owner on the south, and since that property owner is no longer interested, it would appear reasonable to rescind the request for installation.

Council discussion followed with questions being directed to Staff. On motion of Councilman Pinkerton, Murphy second, the City Council rescinded their direction of February 20, 1980 requiring the property owners to install curb, gutter and sidewalk on Beckman Road, from Lockeford Street north.

SALAS PARK
SPRINKLER AND
TURFING
CONTRACT

06-6

Council was reminded that it had awarded the contract for Salas Park Sprinkler and Turfing to B & V Landscape of Sacramento in October of 1980. At that time, work was expected to commence shortly and be completed before the first of the year. As of this date, work has not commenced on the contract through no fault of the contractor. Due to the necessary regrading being slower than expected by Claude C. Wood Co., and unanticipated compaction problems being encountered by Granite Construction, the contractors responsible for the onsite drainage, the work being contracted to B & V Landscaping is still unable

Continued February 4, 1981

to start. Their supplier, Nor Mac, Inc., has warehoused the material for them, but is requesting, at this time, payment in order to hold the price tendered in October. Staff feels this is a reasonable request, and in order to not have to negotiate a higher price for the work, or a rebid, would appreciate the Council's authorization of a payment of \$29,031.52 to Nor Mac, Inc.

On motion of Councilman Pinkerton, Murphy second, Council authorized a payment of \$29,031.52 to Nor Mac, Inc., for materials being held for the Salas Park Sprinkler and Turfing Contract.

APPROVE EXTENDED
LEASE AGREEMENT
VAN RUITEN

CC-276

City Manager Graves informed the City Council that in November, 1976, Mr. Bert Van Ruiten entered into a lease agreement with the City to lease back property which the City had purchased from him for construction of the White Slough Water Pollution Control Facility expansion. The lease carried an "option to renew" clause which stated that the lessee would have an option to renew the lease for the same uses and under the same conditions for two additional terms of five years each. Lessee must exercise the option six months prior to the expiration of the initial term. Mr. Bert Van Ruiten has requested that he be allowed to renew the lease for the entire 10 year period commencing November 15, 1981. The amount of the rent for the total 15 year lease period was established under the terms of the initial lease. The lease amounts are as follows:

November 15, 1981 - November 14, 1986	\$21,123/yr.
November 15, 1986 - November 14, 1991	\$23,470/yr.

Mr. Van Ruiten has carried out the terms and conditions of his lease and Staff recommended that Mr. Van Ruiten be given the opportunity to renew this lease for the 10-year period commencing November 15, 1981.

On motion of Councilman Murphy, Hughes second, Council approved the request of Mr. Bert Van Ruiten to enter into a 10-year lease agreement with the City for the White Slough Water Pollution Control Facility property as heretofore outlined and authorized the Mayor and City Clerk to execute the lease agreement on behalf of the City.

AWARD - CARRIER
FOR EXCESS
COVERAGE

CC-6
CC-26

Following introduction of the matter by Assistant City Manager Glenn, Council, on motion of Councilman Pinkerton, Murphy second, accepted the offer received for the City's Excess Policy from Transcontinental through the City's Agent of Record, Max Elson Insurance, Inc., for excess liability insurance, which would increase the City's limits to \$30,000,000 at an annual premium of \$63,000.

BIDS
REQUESTED FOR
RADIO
EQUIPMENT
MAINTENANCE

CC-26
CC-47

Council was apprised that the City had been placed on notice by McGee Communications that rates for radio maintenance are to be increased by 90%. Staff recommended that inasmuch as there are a number of qualified radio maintenance firms in the area that Council authorize the City Clerk to solicit requests for proposals for maintenance of radio equipment.

Continued February 4, 1981

On motion of Councilman Pinkerton, Murphy second, Council authorized the City Clerk to advertise for bids for the maintenance of the City's radio equipment.

LAFCO CONCERNS

CC-260
CC-116

As previously requested by the Council, Community Development Director Schroeder presented a report concerning the denial of the Batch Reorganization (i.e. Annexation) by the Local Agency Formation Commission. A very lengthy discussion followed with City Manager Graves reporting on a meeting that had taken place this very afternoon in the office of Supervisor George Barber at which the LAFCO Executive Officer, as well as Council representatives, were present.

It was proposed that a dinner meeting be scheduled at which members of the City Council and LAFCO Commissioners be present to discuss matters of mutual concern.

PROPOSED FIXED
ROUTE TRANSIT
SYSTEM
DISCUSSED

CC-50(1)

Following introduction of the matter by Mayor Pro Tempore McCarty, Council, on motion of Councilman Murphy, McCarty second, directed Staff to prepare a Request for Proposal for presentation to COG for a fixed route transit system within the City of Lodi.

ORDINANCES

ORD. AMENDING
ORD. NO. 622
RE PARKING
STICKERS

ORD. NO. 1219
ADOPTED

CC-436

Ordinance No. 1219 amending Section 10 of Ord. No. 622 re Parking Lot No. 5 establishing that sticker evidencing payment of monthly rental be displayed on the rear bumper of the vehicle rather than in the rear window having been introduced at the regular meeting of the Lodi City Council on January 21, 1981 was brought up for passage on motion of Councilman Murphy, McCarty second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Hughes, McCarty, Murphy, Pinkerton, and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

ORD. ADOPTING
NEW ELECTRIC
RATE SCHEDULE -
ENERGY PURCHASE

ORD. NO. 1220
ADOPTED

CC-510

Ordinance No. 1220 adopting a new electric rate schedule for energy purchases having been introduced at the regular meeting of the Lodi City Council held on January 21, 1981 was brought up for passage on motion of Councilman Pinkerton, Murphy second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Hughes, McCarty, Murphy, Pinkerton, and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

Continued February 4, 1981

ORD. AUTHORIZING
THE NORTHERN
CALIFORNIA POWER
AGENCY TO
ISSUE REVENUE
NOTES

Ordinance No. 1221 entitled, "Ordinance authorizing the Northern California Power Agency to Issue Revenue Notes" having been introduced at the regular meeting of the Lodi City Council held on January 21, 1981 was brought up for passage on motion of Councilman Hughes, Pinkerton second. Second reading was omitted after reading by title and the ordinance was then passed, adopted, and ordered to print by the following vote:

ORD. NO. 1221
ADOPTED

22-113

Ayes: Councilmen - Hughes, McCarty, Murphy,
Pinkerton, and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Katnich adjourned the meeting at approximately 10:35 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk